SUPREME COURT MINUTES WEDNESDAY, DECEMBER 20, 2000 SAN FRANCISCO, CALIFORNIA

S092122 The People, Plaintiff and Respondent

2nd Dist.

B131358 Regulo Orozco, Defendant and Appellant

Div. 3 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Cleveland*, S078537 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Chin, J.

Brown, J.

S092179 People, Respondent

4th Dist. v.

D033221 James Bert Wutzke, Defendant and Appellant

Div. 1 Respondent's petition for review GRANTED.

Appellant's petition for review denied.

George, C.J.

Baxter, J.

Chin, J.

S092299

The People, Plaintiff and Respondent

2nd Dist.

v.

B128950 Div. 3 Joseph H. Scrofani, Defendant and Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Toledo*, S089957 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Chin, J.

Brown, J.

S015008

In re Ruth Louise Robinson, Attorney at Law

The People, Respondent

v.

Mark Lindsey Schmeck, Appellant

In accordance with the authority vested in this court under Code of Civil Procedure section 1209, Attorney Ruth Louise Robinson, 4930 Fulton Street, No. 301, San Francisco, Court of Appeal, 94121, is ordered to show cause before this court on February 7, 2001, at 9:00 a.m. at its courtroom in the State Library and Courts Building, 914 Capitol Mall, Sacramento, California, why she should not be held in contempt of court for the willful neglect of her duty to file the appellant's opening brief in this case which was due on December 1, 2000.

The written return shall be filed with the court in the San Francisco clerk's office on or before Friday, January 5, 2001.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Chin, J.

S022481 In re Jeffrey L. Garland, Attorney at Law

The People, Respondent

V.

Martin Anthony Navarette, Appellant

In accordance with the authority vested in this court under Code of Civil Procedure section 1209, Attorney Jeffrey L. Garland, 1022 Broad Street, P.O. Box 655, Grinnell, Iowa 50112, is ordered to show cause before this court on February 7, 2001, at 9:00 a.m. at its courtroom in the State Library and Courts Building, 914 Capitol Mall, Sacramento, California, why he should not be held in contempt of court for the willful neglect of his duty to file the appellant's opening brief in this case, which we previously ordered to be filed on or before November 24, 2000.

The written return shall be filed with the court in the San Francisco clerk's office on or before Friday, January 5, 2001.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Chin, J.

S089864 In re Gregory Tabarez

on

Habeas Corpus

The Director of the Department of Corrections is hereby ordered to show cause before the Sacramento County Superior Court, when the matter is ordered on calendar, why petitioner is not entitled to the preparation of a record of his habeas corpus evidentiary hearing. (*Gardner v. California* (1969) 393 U.S. 367; *Auto Equity Sales, Inc. v. Superior Court* (1962) 57 Cal.2d 450, 455.) The return shall be filed on or before January 16, 2001. In all other respects, the petition is denied without prejudice to the filing of an original habeas petition, raising the same contentions and accompanied by the appropriate record. (*In re Duvall* (1995) 9 Cal.4th 464, 474.)

George, C.J. Mosk, J. Kennard, J. Baxter, J. Chin, J.

2nd Dist. Cadvan Griffiths, Petitioner

B143674

V.

Div. 3 S091856 Los Angeles County Superior Court, Respondent Medical Board of California, Real Party in Interest

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Three, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Chin, J.

S093031 Jesus Gonzalez Placencia, Petitioner

v.

Court of Appeal Fourth Appellate District, Respondent People, Real Party in Interest

Petition for writ of mandate DENIED.

S093555 Jack A. Smith, Petitioner

v.

Court of Appeal Second Appellate District, Respondent People, Real Party in Interest

Application for stay and petition for writ of mandate DENIED.

S080499 In re Raydale D. Hunter

on

Habeas Corpus

The petition for writ of habeas corpus is denied without prejudice to filing a new petition in the trial court alleging sufficient facts demonstrating that counsel was ineffective in failing to discover that the prior conviction did not qualify as a strike, or that the guilty plea was unintelligent and uninformed. (See Pen. Code, § 667, subd.(d)(3)(A); *Hill v. Lockhart* (1985) 474 U.S. 52, 58-59; *In re Alvernaz* (1992) 2 Cal.4th 924, 933-934; *In re Williams* (1969) 1 Cal.3d 168, 175-178; *Bousley v. United States* (1998) 523 U.S. 614, 618-619.)

Orders were filed in the following matters denying petition for writ of habeas corpus:

- S084869 In re Lance Lapay on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
 Mosk, J., Kennard, J., and Werdegar, J., are of the opinion an order to show cause should issue.
- S085472 In re Mohammad Ali on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and for lack of diligence.
- S086187 In re Nicomedes Viray on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
 Kennard, J., is of the opinion an order to show cause should issue. Brown, J., did not participate.

- S086437 In re Mark Delaplane on Habeas Corpus.
- S087247 In re Mitchell C. Koza on Habeas Corpus.
- S087525 In re Paul Alywen Redd, Jr. on Habeas Corpus.
- S089011 In re Mark William Blaine on Habeas Corpus.
- S089667 In re Ronald Sevilla on Habeas Corpus.
- S089711 In re Ronald Bigney on Habeas Corpus.
- S089719 In re Jon W. Downey Jr. on Habeas Corpus.
- S089921 In re Samuel Lee Medway on Habeas Corpus.
- S090390 In re Rudolph Moon on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S090391 In re Jon W. Downey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (In re Clark (1993) 5 Cal.4th 750; In re Lessard (1965) 62 Cal.2d 497, 503; In re Waltreus (1965) 62 Cal.2d 8, 225; In re Dixon (1953) 41 Cal.2d 756, 759; In re Lindley (1947) 29 Cal.2d 709, 723; In re Swain (1949) 34 Cal.2d 300, 304; People v. Duvall (1995) 9 Cal.4th 464, 474.)
- S090445 In re Luis Cardona on Habeas Corpus.
- S090500 In re John Blunt on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People* v. *Duvall* (1995) 9 Cal.4th 464, 474.)
- S090506 In re Corey Gray on Habeas Corpus.
- S090567 In re John Howard Algie on Habeas Corpus.
- S090580 In re Michael Frank Duran on Habeas Corpus.

S090603 - In re Werner Lee Dowdle on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
 George, C.J., did not participate.

December 20, 2000

- S090688 In re Jose Alvarez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S090704 In re Kevin James Perez on Habeas Corpus.
- S090830 In re Jeffrey T. Aflleje on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S090852 In re Lazaro Castillo on Habeas Corpus.
- S090855 In re Thomas Roy Moore on Habeas Corpus.
- S090857 In re Reynaldo Keen Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People* v. *Duvall* (1995) 9 Cal.4th 464, 474.)
- S091018 In re George R. Marin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *People* v. *Duvall* (1995) 9 Cal.4th 464, 474.)
- S091036 In re Michael Dwaine on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304; *People* v. *Duvall* (1995) 9 Cal.4th 464, 474.)
- S091049 In re John Arthur Johnson on Habeas Corpus.
- S091071 In re Alfonse Tolbert on Habeas Corpus.
- S091081 In re Gregorio G. Funtanilla on Habeas Corpus.
- S091110 In re Jorge Palacios on Habeas Corpus.

- S091115 In re James O. Blackwell on Habeas Corpus.
- S091131 In re Jerome Russell (aka Anthony Jerome Milner) on Habeas Corpus.
- S091135 In re Anthony James Washington on Habeas Corpus.
- S091151 In re Sabino A. Ortega on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S091152 In re Charles Brimmer on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734, 735.)
 Mosk, J., is of the opinion an order to show cause should issue.
- S091160 In re Joseph Tennard on Habeas Corpus.
- S091172 In re Bernal W. Morgan on Habeas Corpus.
- S091175 In re Daniel Salas, Jr. on Habeas Corpus.
- S091176 In re Ramon Sinegal on Habeas Corpus.
- S091191 In re Randal McKissick on Habeas Corpus.
- S091197 In re Lee Costa Collins on Habeas Corpus.
- S091201 In re Ruben Lugo on Habeas Corpus.
- S091204 In re Walter Jones on Habeas Corpus.
- S091205 In re Jorge O. Polanco on Habeas Corpus.
- S091214 In re Michael Joseph Brindos on Habeas Corpus.
- S091217 In re Michael Joseph Brindos on Habeas Corpus.
- S091232 In re Sean Ramon Brodie on Habeas Corpus.
- S091246 In re Wade Hill on Habeas Corpus.

- S091284 In re Herbert Owens on Habeas Corpus.
- S091286 In re Tolliver Lyons on Habeas Corpus.
- S091291 In re Johndell Henderson on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
 Mosk, J., is of the opinion an order to show cause should issue.
- S091302 In re Randford Roy Lacey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S091307 In re Paul Oliver Roseman on Habeas Corpus.
- S091316 In re James O. Blackwell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (In re Clark (1993) 5 Cal.4th 750; In re Robbins (1998) 18 Cal.4th 770, 780; In re Swain (1949) 34 Cal.2d 300, 304; In re Miller (1941) 17 Cal.2d 734, 735; People v. Duvall (1995) 9 Cal.4th 464, 474; In re Lindley (1947) 29 Cal.2d 709, 723; In re Waltreus (1965) 62 Cal.2d 218, 225; In re Dixon (1953) 41 Cal.2d 756, 759.)
- S091317 In re Edgar Jackson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S091331 In re Darryl Walcott on Habeas Corpus.
- S091332 In re Jeremiah Eugene Daffin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S091336 In re Joe Wilton Sharp on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S091337 In re Collin Yip on Habeas Corpus.
- S091356 In re Richard Ontiveros on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

S091359 - In re Roosevelt Gillette on Habeas Corpus.

S091372 - In re James Quoc Truong on Habeas Corpus.

S091377 - In re Robert Lee Davis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (In re Waltreus (1965) 62 Cal.2d 218, 225.)

S091382 - In re Frank P. Turner on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (People v. Bruner (1995) 9 Cal.4th 1178, 1193-1194.)

S091389 - In re Lawrence Holloway on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (In re Waltreus (1965) 62 Cal.2d 218, 225.)

S091602 - In re Edgar Jackson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)

S092796 - In re Jeffrey Andre Catlin on Habeas Corpus.

S092928 - In re Jeffrey Andre Catlin on Habeas Corpus. Application for stay and petition for writ of habeas corpus DENIED.

1st Dist. Perrin Edgerton et al., Respondents v.

A083792

Div. 4 State Personnel Board, Defendant

S092823 Department of Transportation, Real Party in Interest and Appellant Petition for review DENIED.

> Baxter, J., and Chin, J., are of the opinion the petition should be granted.

1st Dist. Charles Cuda, Appellant

A086533

A087375 Applied Risk Management, Inc., Respondent

Petition for review DENIED. Div. 4

S092897

2218

1st Dist. A086959 Div. 4 S092328	People, Respondent v. Samuel D. Allen, Appellant Petition for review DENIED.
1st Dist. A087295 Div. 4 S092467	People, Respondent v. Tyrone Johnson, Appellant Petition for review DENIED.
1st Dist. A087891 Div. 4 S092190	People, Respondent v. Gerald Eugene Parmarter, Appellant Petition for review DENIED.
1st Dist. A088673 Div. 1 S092993	In re Gary T., a Person Coming Under the Juvenile Court Law People, Respondent v. Gary T., Appellant Petition for review DENIED.
1st Dist. A089478 Div. 4 S092820	Leo Giorgetti et al., Appellants v. Bankamerica Corporation et al., Respondents Petition for review DENIED. Baxter, J., and Chin, J., did not participate.
1st Dist. A089638 Div. 4 S092973	In re Lativis R., a Person Coming Under the Juvenile Court Law People, Respondent v. Lativis R., Appellant Petition for review DENIED.
1st Dist. A089767 Div. 4 S092422	In re Charles A. Miller v. Habeas Corpus Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.

1st Dist. A091305 Div. 2 S093083	Jerry Brown, Petitioner v. Fair Political Practices Commission, Respondent Request to grant review on the court's own motion DENIED.
1st Dist. A092861 Div. 5 S092934	General Refractories Company, Petitioner v. San Francisco County Superior Court, Respondent Lester Jackson, Real Party in Interest Petition for review DENIED.
1st Dist. A092863 Div. 1 S092898	General Refractories Company, Petitioner v. San Francisco County Superior Court, Respondent Dennis Martin, Real Party in Interest Petition for review DENIED.
1st Dist. A092895 Div. 3 S092851	Tosco Corporation, et al., Petitioners v. Contra Costa County Superior Court, Respondent Steven Duncan et al., Real Parties in Interest Petition for review DENIED.
1st Dist. A092933 Div. 2 S092863	Elnora Terrell, Petitioner v. Alameda County Superior Court, Respondent Marian Allred, Real Party in Interest Petition for review DENIED.
2nd Dist. B118522 Div. 7 S092181	People, Respondent v. Gregory Taylor, Appellant Petition for review DENIED. Mosk, J., Kennard, J., and Werdegar, J., are of the opinion the petition should be granted.
2nd Dist. B122616 Div. 7 S092444	People, Respondent v. Darryl Cheney, Appellant Petition for review DENIED.

2nd Dist. B128070 Div. 1 S092701	Naresh Arora, Appellant v. City of Los Angeles, Respondent Petition for review DENIED.
2nd Dist. B131349 Div. 5 S092425	Andrea Myers, Appellant v. Los Angeles County Metropolitan Transit District, et al., Respondents Petition for review DENIED.
2nd Dist. B132547 Div. 2 S092939	People, Respondent v. Frank Javier Ramirez, Appellant Petition for review DENIED.
2nd Dist. B132648 Div. 3 S092721	Vicki Crivello, Appellant v. Gryphon Insurance Group, Respondent Petition for review DENIED.
2nd Dist. B133755 Div. 4 S092113	People, Respondent v. Dennis R. McBride, Appellant Petitions for review DENIED.
2nd Dist. B134053 Div. 2 S092951	People, Respondent v. Kenneth L. Carr, Appellant Petition for review DENIED.
2nd Dist. B134584 Div. 3 S092237	People, Respondent v. Royse Stribling, Appellant Petition for review DENIED.
2nd Dist. B135293 Div. 7 S092967	People, Respondent v. Rasheem George Green, Appellant Petition for review DENIED.

2nd Dist. B135546 Div. 4 S092254	People, Respondent v. Dale Stephen Rodabaugh, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B135639 Div. 1 S093021	People, Respondent v. Monta Kevin Tindall, Appellant Petition for review DENIED.
2nd Dist. B135725 Div. 3 S092205	People, Respondent v. Felix Pedraza Santoyo, Appellant Petition for review DENIED.
2nd Dist. B136069 Div. 2 S092874	People, Respondent v. Douglas George Cameron, Appellant Petition for review DENIED.
2nd Dist. B136120 Div. 2 S092520	Laura Lee Custodio, Respondent v. Miller Brothers Investment, et al., Appellants Petition for review DENIED. The request for an order directing publication of the opinion is DENIED.
2nd Dist. B136504 Div. 2 S092858	People, Respondent v. Chris Tongdee, Appellant Petition for review DENIED.
2nd Dist. B136505 Div. 5 S092854	People, Respondent v. Jesus Nunez, Appellant Petitions for review DENIED. The request for an order directing publication of the opinion is DENIED. Mosk, J., is of the opinion review should be granted.

2nd Dist. B136596 Div. 1	In re Quincy J., a Person Coming Under the Juvenile Court Law
	People, Respondent
S092872	V.
	Quincy J., Appellant Petition for review DENIED.
	rendon for review DENIED.
2nd Dist.	People, Respondent
B136661	V.
Div. 4	Mel Tyrone Edwards, Appellant Petition for review DENIED.
S092935	Petition for review DENIED.
2nd Dist.	People, Respondent
B136944 Div. 5	v. Dennis Lamar Hicks, Appellant
S092960	Petition for review DENIED.
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2nd Dist.	People, Respondent
B137020	V.
Div. 2 S092032	Pedro Gutierrez, Appellant Petition for review DENIED.
3092032	retution for review DENIED.
2nd Dist.	People, Respondent
B13703	V.
Div. 3	Harold Acy Brooks, Appellant
S092968	Petition for review DENIED.
2nd Dist.	Peter Tong, Appellant
B137304	V.
Div. 5	Civil Service Commission of the County of Los Angeles
S092648	Respondent Office of the Assessor of the County of Los Angeles
	Office of the Assessor of the County of Los Angeles, Real Party in Interest
	Petition for review DENIED.
2nd Dist. B137400	In re Michael P., a Person Coming Under the Juvenile Court Law
Div. 2	People, Respondent
S092663	V.
	Michael P., Appellant
	Petition for review DENIED.

2nd Dist. B137409 Div. 2 S092856	People, Respondent v. Saul Pelayo, Appellant Petition for review DENIED.
2nd Dist. B137432 Div. 1 S092778	Waltraud Krause, Appellant v. Otto Nemenz International, Inc., et al., Respondents Petition for review and motion to strike DENIED.
2nd Dist. B138033 Div. 5 S092339	Chester Walsh, Appellant v. John R. Phillips, Respondent Petition for review DENIED.
2nd Dist. B138534 Div. 6 S092302	Augustini & Wheeler, LLP, Appellant v. Santa Lucia National Bank, et al., Respondents Petition for review DENIED.
2nd Dist. B139422 Div. 5 S092584	People, Respondent v. Ernest Keith Sotelo, Appellant Petition for review DENIED.
2nd Dist. B139667 Div. 1 S092926	People, Respondent v. Arthur Lee Jackson and Marcus Jay Parks, Appellants Petitions for review DENIED.
2nd Dist. B140327 Div. 5 S092956	People, Respondent v. Jerome Napier Madison, Appellant Petition for review DENIED.
2nd Dist. B142626 Div. 1 S092793	Cedars-Sinai Imaging Medical Group, Petitioner v. Los Angeles County Superior Court, Respondent Sheila G. Moore, Real Party in Interest Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.

2nd Dist. B144525 Div. 5 S092120	Tierney D. Harris, Petitioner v. Los Angeles County Superior Court, Respondent Quinal Johnson, Jr., Real Party in Interest Petition for review DENIED.
2nd Dist. B145002 Div. 2 S092942	Arthur R. Laub, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B145155 Div. 1 S092894	Steven Derrick Irvin, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B145244 Div. 2 S093313	In re Omar Abukurah on Habeas Corpus Application for stay and petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B145311 Div. 6 S092861	David Drew Dunscomb, Petitioner v. Santa Barbara County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
2nd Dist. B146059 Div. 6 S093761	James Hamm, Petitioner v. Ventua County Superior Court, Respondent Sharon Steinberg, Real Party in Interest Application for stay and petition for review DENIED.
3rd Dist. C030992 S093001	People, Respondent v. Bobby Lee Blackmon, Appellant Petition for review DENIED.

3rd Dist. C032080 S092273	People, Respondent v. Robert England, Appellant Petition for review DENIED.
3rd Dist. C032249 S092005	People, Respondent v. Eric John Haselton, Appellant Petition for review DENIED.
3rd Dist. C032342 S092864	People, Respondent v. Kevin Leonard McGhee, Appellant Petition for review DENIED.
3rd Dist. C034178 S092608	People, Respondent v. Craig Joseph Rice, Appellant Petition for review DENIED.
3rd Dist. C034812 S092603	Daniel Gonzalez, Appellant v. Sacramento County Superior Court, Defendant California State Board of Dental Examiners, Real Party in Interest Petition for review DENIED.
3rd Dist. C035457 S093137	In re Kevin O. and Bobby O., Persons Coming Under the Juvenile Court Law Yolo County Department of Social Services, Respondent v. Anita O., Appellant Petition for review DENIED.
4th Dist. D030928 Div. 1 S092337	John Bruce Hill, Appellant v. Teledyne Industries, Inc., Respondent Petition for review DENIED. The request for an order directing publication of the opinion is DENIED.

4th Dist. D033085 Div. 1 S092707	Arthur Garabedian, et al., Appellants v. Kolodny & Pressman, Respondent Petition for review DENIED.
4th Dist. D033168 Div. 1 S089805	Michael Alan Calhoon, Appellant v. Alan Lewis, Respondent Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. D033255 Div. 1 S092470	People, Respondent v. James Charles Dulaney, et al., Appellants Petitions for review DENIED.
4th Dist. D033314 Div. 1 S092906	People, Respondent v. Anthony Phenico McGee, Appellant Petition for review DENIED.
4th Dist. D034196 Div. 1 S092986	People, Respondent v. Cristobal Rodriguez Benitez, Appellant Petition for review DENIED.
4th Dist. D034549 Div. 1 S092753	In re Coordinated Latex Glove Litigation Kristen Clark, Appellant v. Baxter Healthcare Corporation et al., Respondents Petition for review DENIED. The request for an order directing depublication of the opinion is DENIED.
4th Dist. D035107 Div. 1 S092869	In re Buck W., a Person Coming Under the Juvenile Court Law People, Respondent v. Buck W., Appellant Petition for review DENIED.

4th Dist. D035186 Div. 1 S093089	In re Selena F., a Person Coming Under the Juvenile Court Law San Diego County Health and Human Services, Respondent v. Armando F., Appellant Petition for review DENIED.
4th Dist. D035711 1st Dist. S093012	In re Michael E., a Person Coming Under the Juvenile Court Law San Diego County Health and Human Services Agency, Respondent v. Diana H., Appellant Petition for review DENIED.
4th Dist. D036706 Div. 1 S093185	Dirty Dan's Inc., Petitioner v. Dept of Alcoholic Beverage Control Appeals Board, Respondent Application for stay and petition for review DENIED.
4th Dist. D036708 Div. 1 S093177	II-S Corporation, Petitionerv.Dept. of Alcoholic Beverage Control Appeals Board. RespondentApplication for stay and petition for review DENIED.
4th Dist. E024758 Div. 2 S092836	Foothill Independent Bank, Appellant v. Sidney W. Jones, Appellant Petition for review DENIED.
4th Dist. E024983 Div. 2 S092312	People, Respondent v. Jerry Johnson, Appellant Petition for review DENIED.
4th Dist. E025086 Div. 2 S092885	People, Respondent v. Miguel Olivo et al., Appellants Petition for review DENIED.

4th Dist. E025175 Div. 2 S092371	People, Respondent v. Carlos H. Ocon, Appellant Petition for review DENIED.
4th Dist. E026164 Div. 2 S092979	People, Respondent v. John Ray Corona, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. E026298 Div. 2 S092486	People, Respondent v. Jesus Manuel Figueroa, Appellant Petition for review DENIED.
4th Dist. E028090 Div. 2 S092923	Roy Erik Revelles, Petitioner v. San Bernardino County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. E028208 Div. 2 S092924	Ignacio Capilla, Petitioner v. Workers' Compensation Appeals Board and Fleetwood Enterprises, Inc., Respondents Petition for review DENIED.
4th Dist. E028226 Div. 2 S093086	Eugene Osko, Petitioner v. Riverside County Superior Court, Respondent Richard Pratner Dishmon, Real Party in Interest Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. E028239 Div. 2 S092987	In re Benjamin Wayne Wright on Habeas Corpus Petition for review DENIED.

4th Dist. E028251 Div. 2 S092920	Roy Erik Revelles, Petitioner v. San Bernardino County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. E028290 Div. 2 S093161	Rocky L. Crabb, Petitioner v. Riverside County Superior Court, Respondent Richard P. Dishmon, Real Party in Interest Petition for review DENIED.
4th Dist. G024644 Div. 3 S092888	People, Respondent v. Wilbert Henry Lee, Appellant Petition for review DENIED.
5th Dist. F032769 S092317	People, Respondent v. William Allen Smith, Appellant Petition for review DENIED.
5th Dist. F033788 S092990	People, Respondent v. Samuel Perez Leal, Appellant Petition for review DENIED.
5th Dist. F033839 S091923	People, Respondent v. Jepthe Ramirez Peraza, Appellant Petition for review DENIED. The request for an order directing publication of the opinion is DENIED.
5th Dist. F034095 S092810	Vincent B. Zaninovich & Sons Inc., Petitioner v. Agricultural Labor Relations Board, Respondent United Farm Workers of America, AFL-CIO, Real Party in Interest Petition for review DENIED.

6th Dist. H018162 S092180	People, Respondent v. Edward Carl Schroeder, Appellant Petition for review DENIED.				
6th Dist. H018595 S092925	People, Respondent v. Jimmy Vincent Mariscal, Appellant Petition for review DENIED.				
6th Dist. H018913 S092222	People, Respondent v. Son Hoang Nguyen, et al., Appellants Petitions for review DENIED.				
6th Dist. H019356 S092438	People, Respondent v. Hector Rene Rodriguez, Petition for review DENIED.				
6th Dist. H019659 S092747	United Farm Workers of America, Respondent v. Dutra Farms, et al., Appellants Petitions for review DENIED. Kennard, J., is of the opinion the petition should be granted.				
6th Dist. H019740 S092936	People, Respondent v. Kenneth Dale Wallalcle, Appellant Petition for review DENIED.				
6th Dist. H019787 S092417	People, Respondent v. David Hartless, Appellant Petition for review DENIED.				
6th Dist. H020265 S092880	People, Respondent v. Jerardo Vargas, Appellant Petition for review DENIED.				

6th Dist. H020309 S092280	People, Respondent v. Vance Edward Johnson, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.				
6th Dist. H020321 S092933	People, Respondent v. Robert E. Keener, Appellant Petition for review DENIED.				
6th Dist. H020737 S093104	In re Jonathan G., a Person Coming Under the Juvenile Court Law				
	People, Respondent v.				
	Jonathan G., Appellant Petition for review DENIED.				
6th Dist. H021626	People, Respondent v.				
S093105	Angel Alvarez, Appellant Petition for review DENIED.				
6th Dist. H021695	In re Jeff Vijay				
S093505	Habeas Corpus Petition for review DENIED.				
2nd Dist. B137562	Alberta Rucker, Petitioner				
Div. 4 S091125	Workers' Compensation Appeals Board and County of Los Angeles, Respondents The request for an order directing depublication of the opinion in the above-entitled appeal is DENIED.				
4th Dist. D033669 Div. 1 S091521	Patricia Ramos, et al., Respondents				
	v. Countrywide Home Loans, Inc., et al., Appellants The requests for an order directing depublication of the opinion in the above-entitled appeal are DENIED.				

4th Dist. People, Respondent

E026191

V.

Jerome Paul Wilson, Appellant

The time for granting review on the court's own motion is hereby extended to and including January 16, 2001. (Cal. Rules of Court, rule 28(a)(1).)

S009038 People, Respondent

v.

Richard Turner, Appellant

The application of appellant for an extension of time to file appellant's opening brief is denied.

S012279 People, Respondent

v.

David Allan Lucas, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 2, 2001.

S014664 People, Respondent

V.

Mario Lewis Gray, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including February 13, 2001.

No further extensions of time will be granted.

S018292 People, Respondent

v.

Evan Teek Nakahara, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 13, 2001.

S020670 People, Respondent

v.

Robert Lewis, Jr., Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 2, 2001.

No further extensions of time will be granted.

S027766 People, Respondent

v.

Stephen Cole, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 13, 2001.

S029476 People, Respondent

v.

Richard Delmer Boyer, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including February 20, 2001.

S029550 People, Respondent

V.

Duane Holloway, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including February 20, 2001.

S034473 People, Respondent

v.

Christian Antonio Monterroso, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 5, 2001.

No further extensions of time are contemplated.

S035769 People, Respondent

v.

James Matthew Heard, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 20, 2001.

S037195 People, Respondent

v.

Jerry Noble Kennedy, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 16, 2001.

S049596 People, Respondent

v.

Stanley Bryant, Leroy Wheeler, and Donald Franklin Smith, Appellants

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including February 26, 2001, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

No further extensions of time will be granted.

S052520 People, Respondent

v.

Dexter Williams, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 13, 2001.

S081408 In re Jack Gus Farnam

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including February 20, 2001.

S088216 In re Steven Robert Loy

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to the Attorney General's informal response is extended to and including April 17, 2001.

S088807 People, Respondent

v.

Jimmie Dale Otto, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including January 16, 2001.

No further extensions of time are contemplated.

S092615 People, Respondent

V.

Omar Richard Deen, Appellant

Good cause appearing therefor, the Imperial County Superior Court court reporters' request for an extension of time to complete the reporter's transcript on appeal is granted. (See Cal. Rules of Court, rule 39.53(b)(6).) The reporter's transcript must be completed on or before January 3, 2001.

S092615 People, Respondent

V.

Omar Richard Deen, Appellant

Good cause appearing therefor, the request of the Imperial County Superior Court Executive Officer for an extension of time to complete the clerk's transcript on appeal is granted. (See Cal. Rules of Court, rule 39.53(b)(6).) The clerk's transcript must be completed on or before January 3, 2001.

S018033 People, Respondent

v.

Prentice Juan Snow, Appellant

The application of appellant for leave to file appellant's opening brief in excess of 280 pages is granted.

S029174 People, Respondent

v.

Donald Griffin, Appellant

In the matter of People v. Donald Griffin (S029174), on May 10, 2000, defendant filed an "Application for permission to correct and settle the record after certification and to engross the record on appeal with the settled statement." Defendant's request to correct the reporter's transcript at page 24, as described in defendant's

application, is granted. Defendant's request to augment the record on appeal with a settled statement, as described in defendant's application, is denied.

S036450 People, Respondent

v.

Herbert Harris Koontz, Appellant

Appellant's application for leave to file appellant's reply brief in excess of 140 pages is granted.

S015384 People, Respondent

v.

Richard Lacy Letner and Christopher Allan Tobin, Appellants

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant Richard Lacy Letner, filed November 30, 2000, is granted.

The order appointing J. Thomas Bowden as counsel of record for appellant Richard Lacy Letner, filed May 10, 1993, is hereby vacated.

R. Clayton Seaman, Jr., is hereby appointed as attorney of record for appellant Richard Lacy Letner for the direct appeal in the above automatic appeal now pending in this court.

The Habeas Corpus Resource Center is hereby appointed to represent appellant Richard Lacy Letner for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

J. Thomas Bowden is directed to deliver to R. Clayton Seaman, Jr., within 30 days from the filing of this order, his copy of the record on appeal in *People v. Letner and Tobin* and all transcript notes, appellate and habeas corpus "issues" lists, and all other appellate and habeas corpus investigation work product. Mr. Bowden also shall deliver to the Habeas Corpus Resource Center, within 30 days from the filing of this order, copies of all such transcript notes, "issues" lists, and appellate and habeas corpus work product, and all trial files, reports and related materials that he has obtained from appellant's trial counsel, paralegals, experts and investigators.

S091459 People, Respondent

v.

Zuheir Anis Totari, Appellant

Upon request of appellant for appointment of counsel, Norton Tooby is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

Bar Misc. 4186 In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S090057

In the Matter of the Suspension of Attorneys Pursuant to Rule 962, California Rules of Court

Due to clerical error, and good cause appearing, it is ordered that the order pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code filed on November 14, 2000, effective December 14, 2000, be amended nunc pro tunc to strike the name of **Ricardo Lopez Mendoza.**

S078148

In re Gelly Yukon Valero on Discipline

The above entitled matter is remanded to the State Bar Court with directions to vacate its decision and to determine the basis for its jurisdiction to entertain a motion to modify an order imposing a period of actual suspension, and thereafter to make a recommendation to the Supreme Court concerning such motion. Further, the State Bar Court is directed to consider whether a period of actual suspension imposed by an order of this court should be modified retroactively based upon a voluntary withdrawal from practice prior to the actual effective date of the order imposing discipline, and upon factors in existence at the time that the court's order was filed.

S092145 In re **John Gillespie Hartnett** on Discipline

It is ordered that **John Gillespie Hartnett, State Bar No. 49505,** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed September 6, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti* v. *State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code 6086.10 and payable in equal installments for membership years 2001, 2002 and 2003.

S092160 In re **Mary Linda Rasmussen** on Discipline

It is hereby ordered that **Mary Linda Rasmussen**, **State Bar No. 133445**, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. She is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S092164 In re **Christopher Martin Dolan** on Discipline

It is ordered that **Christopher Martin Dolan, State Bar No. 76254,** be suspended from the practice of law for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for one year and until he develops and files with the Probation Unit, State Bar Office of the Chief Trial Counsel, a law office management plan; and until he attends State Bar Ethics School, takes and passes the examination given and furnishes satisfactory proof thereof to the Probation Unit, as recommended by the Hearing Department of the State Bar Court in its decision filed July 24, 2000; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of

Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition of terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See Segretti v. State Bar (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that respondent perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S092165 In re **Charles Harold Kavalaris** on Discipline

It is ordered that **Charles Harold Kavalaris, State Bar No. 46853,** be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed August 18, 2000. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S093319 In the Matter of the Resignation of **Betty Jo Wessinger** A Member of the State Bar of California

The voluntary resignation of **Betty Jo Wessinger**, **State Bar No. 171810**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should she hereafter seek reinstatement. It is ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in

subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

- In the Matter of the Resignation of **James David Davis**A Member of the State Bar of California
 The voluntary resignation of **James David Davis**, **State Bar No.**
- 52938, as a member of the State Bar of California is accepted.S093642 In the Matter of the Resignation of Sharon L. Davis
- A Member of the State Bar of California
 The voluntary resignation of **Sharon L. Davis, State Bar No. 113771,** as a member of the State Bar of California is accepted.
- In the Matter of the Resignation of **J. Michael Donohew**A Member of the State Bar of California
 The voluntary resignation of **J. Michael Donohew, State Bar**No. 33367, as a member of the State Bar of California is accepted.
- In the Matter of the Resignation of Morgan George Gilman
 A Member of the State Bar of California
 The voluntary resignation of Morgan George Gilman, State
 Bar No. 34491, as a member of the State Bar of California is accepted.